

MARK B. CHASSMAN (SBN 119619)
RHONDA E. KALEY (SBN 138546)
CHASSMAN & SEELIG, LLP
350 South Figueroa Street, Suite 580
Los Angeles, CA 90071-1102
Telephone: (213) 626-6700
Facsimile: (213) 626-5111

Attorneys for Defendant
M. Rothman & Co., Inc.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CREDITORS ADJUSTMENT
BUREAU, INC., a California
corporation,

Plaintiff,

v.

M. ROTHMAN & CO., INC.,

Defendant.

CASE NO. C08-01431 MMC

Assigned to: Hon. Maxine M. Chesney

**CERTIFICATE OF SERVICE OF
NOTICE TO ADVERSE PARTY OF
REMOVAL TO FEDERAL COURT**

TRIAL DATE: None Set

I, MARIBEL SANTOS, declare:

1. I am over the age of 18 years and not a party to this action.
2. My business address is 350 South Figueroa Street, Suite 580, Los Angeles, California which is located in the city, county, and state where the mailing described below took place.
3. On March 19, 2008, I deposited in the United States Mail at Los Angeles, California, and mailed to plaintiff's counsel, Kenneth J. Freed, Esq., a copy of the Notice to Adverse Party of Removal to Federal Court, a copy of which

1 is attached to this Certificate of Service.

2 4. In the same mailing envelope addressed to Mr. Freed, I enclosed the
3 following documents:

- 4 (a) A file-stamped copy of the Notice of Removal
- 5 (b) Civil Cover Sheet
- 6 (c) Order Setting Initial Case Management Conference and ADR
7 Deadlines
- 8 (d) Case Management Conference Order
- 9 (e) Standing Orders for Civil Cases Assigned to the Honorable
10 Maxine M. Chesney
- 11 (f) Standing Order for All Judges of the Northern District of
12 California: Contents of Joint Case Management Statement
- 13 (g) Welcome to the U.S. District Court: Guidelines for Filing
- 14 (h) Notice of Availability of Magistrate Judge to Exercise
15 Jurisdiction
- 16 (i) Consent to Proceed Before a United States Magistrate Judge
17 (Blank)
- 18 (j) U.S. District Court Northern California - ECF Registration
19 Information Handout

20 I declare under penalty of perjury under the laws of the United States
21 of America that the foregoing is true and correct.

22 Executed on March 19, 2008 at Los Angeles, California.

23
24 
25 MARIBEL SANTOS

1 CHASSMAN & SEELIG, LLP
MARK B. CHASSMAN (SBN 119619)
2 RHONDA E. KALEY (SBN 138546)
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3 Los Angeles, CA 90071-1102
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5 Attorneys for Defendant
M. Rothman & Co., Inc.
6
7

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF ALAMEDA
10 GALE-SCHENONE HALL OF JUSTICE
11

COPY

12 CREDITORS ADJUSTMENT BUREAU,)
INC., a California corporation,)

13 Plaintiff,)
14)

15 v.)

16 M. ROTHMAN & CO., INC., and)
DOES 1 through 10, inclusive,)

17 Defendants.)
18)

CASE NO. VG08369586

Assigned to: Hon. Jon S. Tigar
Department 21

**NOTICE TO ADVERSE PARTY OF
REMOVAL TO FEDERAL COURT**

19 TRIAL DATE: None Set
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22 TO THE COURT AND TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

23 NOTICE IS GIVEN that a Notice of Removal of this action was filed in the United States

24 District Court for the Northern District of California (Oakland) on March 13, 2008 as U.S.

25 District Court Case No. C08-01431 MMC
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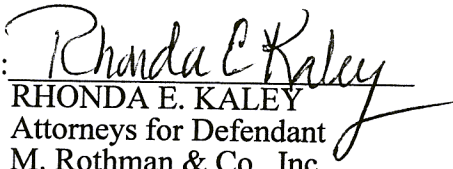
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1 A file-stamped copy of the Notice of Removal is attached to this Notice and is filed and
2 served herewith.

3
4 DATED: March 18, 2007

CHASSMAN & SEELIG, LLP

5
6 By: 
7 RHONDA E. KALEY
8 Attorneys for Defendant
9 M. Rothman & Co., Inc.

E-filing

1 MARK B. CHASSMAN (SBN 119619)
2 RHONDA E. KALEY (SBN 138546)
3 CHASSMAN & SEELIG, LLP
4 350 South Figueroa Street, Suite 580
5 Los Angeles, CA 90071-1102
6 Telephone: (213) 626-6700
7 Facsimile: (213) 626-5111

8 Attorneys for Defendant
9 M. Rothman & Co., Inc.

ORIGINAL
FILED
MAR 13 2008
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

ADR

10 UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

COPY

12 CREDITORS ADJUSTMENT
13 BUREAU, INC., a California
14 corporation,

15 Plaintiff,

16 v.

17 M. ROTHMAN & CO., INC.,

18 Defendant.

CASE NO. C08-01431

Assigned to:

NOTICE OF REMOVAL OF
ACTION UNDER 28 U.S.C. § 1441(b)
[DIVERSITY]

TRIAL DATE: None Set

19 TO THE CLERK OF THE ABOVE-ENTITLED COURT:

20 NOTICE IS GIVEN that defendant M. Rothman & Co., Inc. hereby removes
21 to this Court the state court action described below.

22 1. On February 4, 2008, an action was commenced in the Superior Court
23 of the State of California in and for the County of Alameda, entitled *Creditors*
24 *Adjustment Bureau, Inc. v. M. Rothman & Co., Inc., et al.*, Alameda County
25 Superior Court Case No. VG08369586. True and correct copies of the state court
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1 complaint and related documents, including, but not limited to, a Summons, a
2 Notice of Case Management Conference and Order, a Notice of Judicial
3 Assignment, and a Civil Case Cover Sheet, which were served in conjunction with
4 the complaint are attached, collectively, as Exhibit A.

5 2. The first date upon which defendant M. Rothman & Co., Inc. received
6 a copy of the state court complaint was February 14, 2008, when an employee of
7 defendant picked up the Exhibit A documents from the post office.

8 3. This action is a civil action of which this Court has original
9 jurisdiction under 28 U.S.C. section 1332 and is one which may be removed to this
10 Court by defendants pursuant to the provisions of 28 U.S.C. section 1441(b) in
11 that it is a civil action between citizens of different states and the matter in
12 controversy exceeds the sum of the \$75,000, exclusive of interests and costs.
13 Plaintiff has alleged \$145,804.71 in damages, exclusive of interest, costs, and
14 attorneys' fees. *See*, Exhibit A, Complaint, page 1, para. 2.

15 4. Complete diversity exists between the parties. Plaintiff identifies
16 itself as a California corporation. Defendant M. Rothman & Co., Inc. was at the
17 time of the filing of the state court action, and still is, a corporation incorporated
18 under the laws of the State of New Jersey, having its principal place of business in
19 Ramsey, New Jersey. M. Rothman & Co. is the only named defendant in the state
20 court action.


21 5. Plaintiff's claims arise out of an alleged breach of contract between
22 Hannspree California Inc., plaintiff's assignor, and M. Rothman & Co., Inc.
23 Plaintiff seeks \$145,804.71 in contract damages, plus interest, costs, and
24 attorneys' fees.

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1 6. Defendant M. Rothman & Co., Inc. respectfully requests that the state
2 court action now pending in the Alameda County Superior Court be removed to
3 this court.

4
5 DATED: March 12, 2008

CHASSMAN & SEELIG, LLP

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7 By: 
8 RHONDA E. KALEY
9 Attorneys for Defendant
10 M. Rothman & Co., Inc.
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PROOF OF SERVICE

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES }

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is: 350 South Figueroa Street, Suite 580, Los Angeles, California 90071-1102.

On March 12, 2008, I served the foregoing documents described as **NOTICE OF REMOVAL OF ACTION UNDER 28 U.S.C. § 1441(b) [DIVERSITY]** on the interested parties in this action by placing a true copy thereof enclosed in a sealed, prepaid envelope addressed as follows:

Kenneth J. Freed, Esq.
Law Offices of Kenneth J. Freed
14226 Ventura Blvd.
P.O. Box 5914
Sherman Oaks, CA 91413

X (BY MAIL) I caused such envelope to be deposited in the mail at Los Angeles, California. I am "readily familiar" with this firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. postal service on that same day in the ordinary course of business. I am aware that on motion of a party served, service is presumed invalid if the postal cancellation date or postage meter date is more than 1 day after the date of deposit for mailing in affidavit.

____ (BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.

Executed on March 12, 2008 at Los Angeles, California.

____ (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

X (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

MARIBEL SANTOS
NAME

Maribel Santos
SIGNATURE

PROOF OF SERVICE

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is: 350 South Figueroa Street, Suite 580, Los Angeles, California 90071-1102.

On March 19, 2008, I served the foregoing documents described as **CERTIFICATE OF SERVICE OF NOTICE TO ADVERSE PARTY OF REMOVAL TO FEDERAL COURT** on the interested parties in this action by placing a true copy thereof enclosed in a sealed, prepaid envelope addressed as follows:

Kenneth J. Freed, Esq.
Law Offices of Kenneth J. Freed
14226 Ventura Blvd.
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MARIBEL SANTOS
NAME


SIGNATURE